

BASE:
SPECIAL AREA:
TYPE OF ACTION:
CONTRACT NUMBER:
PARTY INVOLVED:
DATE OF ACTION:

NSA NEW ORLEANS, LA
~~NAVAL HOSPITAL~~ WEST BANK
~~DISPOSAL~~ OTHER_JURIS
~~STY OF NEW ORLEANS, LA~~ STATE OF LOUISIANA
~~XX XX XX~~
24-Sep-1879
10APR1979

DOCUMENT

	DATE	# OF PAGES
LETTER TO MR. ORY G. PORET, DIVISION OF	24-Sep-1979	1
RECEIPT FOR FILING, GUY WOOTAN,	14-Sep-1979	1
LETTER TO GOVERNOR OF LOUISIANA, MR.	29-Jan-1979	1
STATE OF LOUISIANA, PARISH OF EAST BATON	10-Apr-1979	2
AFFIDAVITS OF SUBSCRIBING WITNESSES	30-Apr-1979	1
HOSPITAL SITE PLAN	9-Nov-1978	1
LETTER TO COMMANDER, NAVAL FACILITIES	8-Dec-1978	2
LETTER FROM COMMANDING OFFICER,		
SOUTHERN, NAVAL FACILITIES ENGINEERING	15-Nov-1978	1
HOSPITAL SITE PLAN	9-Nov-1978	1
LETTER FROM JAMES FORRESTAL	11-Jan-1943	2
AN ACT	20-JUN-1892	7
LETTER FROM SECRETARY OF THE NAVY MR.	23-Sep-1942	2
	TOTAL	22

REB ✓
RESM ✓
MICRO ✓
FILE ✓

Code 241

24 SEP 1979

Department of Natural Resources
Division of State Land
Baton Rouge, Louisiana 70804

Attention Mr. Ory C. Poret

Re: Naval Support Activity, New Orleans, LA;
Hospital Site

Gentlemen:

The recently executed Document relinquishing jurisdiction over a portion of the Naval Support Activity, New Orleans, Louisiana, West Bank, has been recorded. The Document is registered with the Custodian of Notarial Records for the Parish of Orleans, State of Louisiana, 421 Loyola Avenue, New Orleans, Louisiana 70112, in Book 763-7, Folio 221-223 dated 14 September 1979.

Very truly yours,

W. M. ROBINSON, JR.
Head, Operations Branch

Copy to:

NAVFACEGCOM

NAVSUPACT NEW ORLEANS, LA

CO NAVREGMEDCLINIC NEW ORLEANS, LA

NAVAEROPREGMEDCEN PENSACOLA, FL

BUMED

REAL ESTATE

REAL ESTATE (D)

Code 241/HH (w/cy of Document)

241x

rp

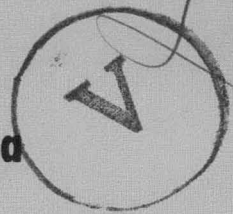
9/24/79

6-1-76
RECEIPT FOR FILING
GUY WOOTAN

Custodian of Notarial Records
for the Parish of Orleans, State of Louisiana

ROOM B-4 CIVIL COURTS BUILDING
421 LOYOLA AVE., NEW ORLEANS, LA. 70112

TELEPHONE: 525-9386



SEP 14 1979

CLERK OF
NOTARY PUBLIC
PARISH OF ORLEANS

346147



Mail

Filed by: W R Robinson code 241

Notary Public who passed act: SOUTHMAVEAC PO Box 10068

Instrument filed: CHARLESTON S.C 29411

Registered in
Conveyance Office

Book 763 F, Folio 221-223

New Orleans, Louisiana

Date: 9-14-79

Recorded in the
Mortgage Office

Book _____, Folio _____

New Orleans, Louisiana

Date: _____

Time: _____



DEPARTMENT OF THE NAVY
NAVAL FACILITIES ENGINEERING COMMAND
200 STOVALL STREET
ALEXANDRIA, VA 22332

IN REPLY REFER TO

29 January 1979

The Honorable Edwin W. Edwards
State Capital
P.O. Box 44004
Baton Rouge, Louisiana 70804

Dear Governor Edwards:

The United States is vested with exclusive legislative jurisdiction over certain lands within the boundaries of the State of Louisiana upon which is located the Naval Regional Medical Center at the Naval Support Activity, New Orleans. These lands consisting of 18 acres, more or less, are described by metes and bounds in the attachment intitled PERIMETER DESCRIPTION (A tract of land known as the hospital site, etc.) and further depicted on the map intitled Naval Hospital, New Orleans, Louisiana, also attached. It is considered highly desirable, for law enforcement purposes, that the State of Louisiana be vested with concurrent legislative jurisdiction over the above lands.

Section 2683 of Title 10, United States Code, authorizes the Secretary of the Navy, whenever he considers it desirable, to relinquish to a State all or any part of the legislative jurisdiction of the United States over lands under his control in that State.

Accordingly, on behalf of the United States, and in accordance with the authority given to me by the Secretary of the Navy, I hereby relinquish to the State of Louisiana sufficient of the legislative jurisdiction now held by the United States over the lands described in the attachments so as to establish thereover concurrent jurisdiction in the United States and the State of Louisiana.

Your acceptance of this retrocession may be indicated by signing the enclosed copy of this letter and returning it for our records.

Sincerely,

R. S. STERNES
Deputy Assistant Commander for
Real Estate

ATTACHMENTS

Accepted for the State of Louisiana effective _____.

By: _____.

Title: _____.

Copy to:
SOUTHNAVFACENGCOM

24
Wm
1-31
241 Wm
241 Wm
FILE

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

WHEREAS, under the provisions of Section 2683, Title 10, United States Code, and other applicable laws, the Department of Navy, through the Naval Facilities Engineering Command, Alexandria, Virginia, has determined it is in the best interest of the government to grant, offer, bestow, relinquish, retrocede and abandon unto the State of Louisiana and to all political subdivisions applicable thereto, joint and concurrent legislative jurisdiction over and on the hereinafter described property; and

WHEREAS, under the provisions of Louisiana R.S. 52:3, the State of Louisiana, through the Office of the Governor is authorized, whenever the Governor deems it desirable and in the public interest to accept on behalf of the State of Louisiana the retrocession of jurisdiction over lands owned by the United States of America; and

WHEREAS, the State of Louisiana, through the Office of the Governor does hereby desire to respond by accepting joint legislative jurisdiction with the United States Department of Navy over and on the hereafter described property; and

WHEREAS, it is understood and agreed by the parties hereto that the relinquishment of legislative jurisdiction herein to the State of Louisiana for the purpose of establishing concurrent jurisdiction does not thereby constitute the State of Louisiana or any agencies, boards, commissions or departments or agents, officers or employees thereof as agents of the United States of America, and no liability shall attach to such entities or individuals by reason hereof;

NOW, THEREFORE, BE IT KNOWN that the United States, Department of Navy through the Naval Facilities Engineering Command, acting under authority of Section 2683, Title 10, United States Code, and other applicable laws, and the State of Louisiana through its Governor, Honorable Edwin W. Edwards, acting and accepting herein under the authority of Louisiana R.S. 52:3, hereby enters into this agreement whereby the United States Government grants, offers, bestows, relinquishes, retroceeds and abandons unto the State of Louisiana and all political subdivisions applicable thereto, joint and concurrent legislative jurisdiction over and on the hereinafter described property, to-wit:

Original on File in Parish of New Orleans

A tract of land known as the hospital site located at the Naval Support Activity, New Orleans, Orleans Parish, Louisiana, more particularly described in accordance with the attached plat, as follows:

Begin at a concrete monument with a brass disk; located 57 feet easterly of the 1977 center line of Hendee Street and 2 feet northerly of the north right-of-way line of Hospital Drive, the point of beginning; thence S 03° 00' 27" W, 66.24 feet to a monument on the south of Hospital Drive; thence S 87° 12' 33" E, 02.54 feet to a monument; thence parallel Hospital Drive N 77° 31' 18" E, 145.19 feet to a monument; thence south of and parallel to Hospital Drive S 87° 12' 23" E, 776.08 feet to a monument; thence continue S 87° 12' 23" E, 5.00 feet to a point on a fence line; thence along fence line N 02° 49' 27" E, 699.89 feet to a point at a fence corner; thence along said fence line N 61° 04' 23" W, 353.17 feet to a point at a fence corner; thence, along fence line N 87° 11' 33" W, 604.78 feet to a point at a fence corner 57 feet easterly of the center line of Hendee Street; thence, along said fence line S 03° 00' 27" W, 829.59 feet to a concrete monument, being the point of beginning, said tract containing 18.00 acres more or less.

THUS, DONE, READ, ACCEPTED and SIGNED, in duplicate originals, by the parties hereto in the presence of the respective undersigned witnesses, as of the 10th day of April, 1979.

WITNESSES:

United States of America, Department of Navy through the Naval Facilities Engineering Command

R. E. L. Putnam Jr.
Andrew M. Egland

By: [Signature]
F. S. Sterns, Deputy Assistant
Commander for Real Estate

State of Louisiana, through the Office of the Governor

[Signature]
Michelle B. Paizi

By: [Signature]
Edwin W. Edwards, Governor

AFFIDAVITS OF SUBSCRIBING WITNESSES

STATE OF VIRGINIA

CITY OF Alexandria

Before me, the undersigned authority, personally came and appeared
R. E. L. Putman, Jr., who by me being first duly sworn,
deposed and said that he is one of the witnesses to the execution of the
foregoing instrument and that he saw F. S. STERNS sign said instrument as
the Deputy Assistant Commander for Real Estate of the United States Depart-
ment of the Navy, Naval Facilities Engineering Command, in the presence of
appearer and ANDREW M. EGELAND, the other subscribing witness.

R. E. L. Putman, Jr.
AFFIANT

Sworn to and subscribed before me on
this the 24 day of April,
1949.

Dean M. Allen, Jr.
Notary Public
My Commission expires 13 April 1952

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

Before me, the undersigned authority, personally came and appeared
Ory G. Poret, who by me being first duly sworn,
deposed and said that he is one of the witnesses to the execution of the
foregoing instrument and that he saw EDWIN W. EDWARDS sign said instrument
as Governor of the State of Louisiana, in the presence of appearer and
Michelle B. Paige, the other subscribing witness.

O. G. Poret
AFFIANT

Sworn to and subscribed before me on
this the 30th day of April,
1949.

[Signature]
Notary Public
My Commission expires at least

MISSISSIPPI RIVER

HOSPITAL SITE
18.00 ACRES

TRACT III
CIVIL ACTION NO. 233
FILED 9-11-42
26.01 ACRES

EXCLUSIVE FEDERAL JURISDICTION
OF THIS TRACT WAS ACCEPTED ON
BEHALF OF THE UNITED STATES
IN A LETTER TO THE GOVERNOR
SIGNED BY THE SECRETARY OF
THE NAVY DATED 1-6-43.

TRACT I

DEEDS FROM:
J.B. DUPEIRE 2-14-1894
J.B. OLIVIER 10-11-1894
NORBERT TREPAGNIER ESTATE 10-12-1894
FEE
60.20 ACRES

EXCLUSIVE FEDERAL JURISDICTION
OF THIS TRACT IS COVERED UNDER
AN ACT OF THE GENERAL ASSEMBLY
OF THE STATE OF LOUISIANA
APPROVED 6-20-1892.

SOUTHERN DIVISION
NAVAL FACILITIES ENGINEERING COMMAND
CHARLESTON, S.C.

NAVAL HOSPITAL
NEW ORLEANS, LOUISIANA

SCALE: NOT TO SCALE
DRAWN BY: W.J.H.
DATE: 11-9-76



NAVAL SUPPORT ACTIVITY

NEW ORLEANS, LA. 70146

IN REPLY REFER TO

N5:DSH:ism
6000

8- DEC 1978

WT 24/60
24/150
MICRO

FILE

To: Commander, Naval Facilities Engineering Command

Subj: New Orleans Naval Hospital, relinquishment of legislative jurisdiction

Ref: (a) SOUTHNAVFACENGCOM ltr Code 241/WJC of 15 Nov 1978

1. In response to reference (a), this activity has no objection to relinquishment of legislative jurisdiction on the approximately eighteen acres of land which constitute the site of the subject facility. It is understood that the jurisdiction change will in no way affect access to the Naval Support Activity from Hendee Street via Sanctuary Street (Hospital Drive).
2. Upon lease of these lands and the hospital facility to private interest, it is anticipated that the activity gate will be moved from Sanctuary and Hendee Streets to Sanctuary and Heerman Streets. Although the exact new location is unknown, it is likely that the guardhouse will be on land included in the jurisdictional change. It will be necessary that the Navy retain appropriate jurisdiction on the guardhouse and gate function regardless of its exact location.
3. LCDR D. S. Hughes, Public Works Officer, is the appropriate point-of-contact regarding this and other matters pertaining to the pending lease. It is requested that you keep us advised of developments regarding the lease so that local planning can be coordinated.

F. D. GOETSCHUS

Copy to:

NAVREGMEDCLINIC
SOUTHNAVFACENGCOM
COMEIGHT

Microfilmed & transmitted 6-22-79

Code 241/WJC

15 NOV 1978

Subj: New Orleans Naval Hospital, Relinquishment of Legislative Jurisdiction

c. Whether the State acceptance of retrocession of Federal Government held Legislative Jurisdiction will require an act of State Legislature. Acceptance of retrocession can be accomplished under existing laws of the State of Louisiana, Revised Statutes 52:3 (added by Acts 1975, Number 567, Paragraph 1.).

d. The estate held by the United States in the area, including how and when acquired. This information is shown on enclosures (4) and (5).

e. Legal Descriptions of the area over which it is proposed to relinquish Legislative Jurisdiction. A Legal Description of this area is included as enclosure (6).

3. Due to the urgency of this matter, addressees are requested to submit concurrence and/or comments direct to the Commander, Naval Facilities Engineering Command at the earliest practicable date.

W. J. WOODS
By direction

Copy to: (w/encs)
CO NAVREGMEDCEN
New Orleans, LA

✓ REAL ESTATE
REAL ESTATE (D)

09P TAD
09C 283
24 11/15/78
241 TAD
241/WJCx
esd
11-14-78

rp 11/15/78

Code 241/WJC

15 NOV 1978

From: Commanding Officer, Southern Division, Naval Facilities
Engineering Command

To: Chief of Naval Operations
Chief, Bureau of Medicine and Surgery
Commander, Naval Facilities Engineering Command
Commanding Officer, Naval Support Activity, New Orleans, Louisiana

Subj: New Orleans Naval Hospital, Relinquishment of Legislative
Jurisdiction

Ref: (a) Ltr from Chairman of the House Armed Services Committee to
the Secretary of the Navy dated 10 August 1978
(b) NAVFACENGCOM P-73, Real Estate Procedural Manual

Encl: (1) Map of Hospital Site
(2) SECNAV ltr of 6 Jan 1943 accepting exclusive Jurisdiction
over Tract III
(3) Information as to Jurisdiction over Tract I
(4) Deed for Tract I dated 11 October 1894
(5) Attorney General Opinion on Title for Tract III dated
23 September 1942
(6) Metes and Bounds description of Hospital Site

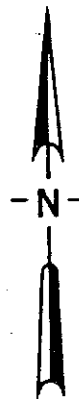
1. Reference (a) approved Disposal Report Number 543, which recommended the long term leasing of the Naval Regional Medical Center, Naval Support Activity, New Orleans, Louisiana, for private operation. In view of such recommendation and continuing action which is expected to result in an outlease for a total term of 25 years, this Command considers it desirable to relinquish exclusive legislative jurisdiction over the lease premises.

2. In accordance with reference (b), the following information is submitted in support of this request for relinquishment of jurisdiction:

a. Enclosure (1) shows the present jurisdictional status of the area over which it is proposed to relinquish legislative jurisdiction. A copy of the cession documents for the area to be leased are forwarded as enclosures (2) and (3).

b. Degree of Legislative Jurisdiction considered necessary.
Proprietary-all lands covered by this request are to be leased to private interest.

MISSISSIPPI RIVER



N 87°11'33" W
604.78'

N 61°04'23" W
303.17'

HOSPITAL SITE
18.00 ACRES

S 3°00'00" E
829.55'

N 2°49'27" E
699.89'

86.24'
N 77°31'18" E
S 87°12'33" E
2.54'

145.19'
776.08'
S 87°12'23" E

5.00'

TRACT III
CIVIL ACTION NO. 233
FILED 9-11-42
26.01 ACRES

EXCLUSIVE FEDERAL JURISDICTION
OF THIS TRACT WAS ACCEPTED ON
BEHALF OF THE UNITED STATES
IN A LETTER TO THE GOVERNOR
SIGNED BY THE SECRETARY OF
THE NAVY DATED 1-6-43.

TRACT I
DEEDS FROM:
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FEE
60.20 ACRES

EXCLUSIVE FEDERAL JURISDICTION
OF THIS TRACT IS COVERED UNDER
AN ACT OF THE GENERAL ASSEMBLY
OF THE STATE OF LOUISIANA
APPROVED 6-20-1892.

SOUTHERN DIVISION
NAVAL FACILITIES ENGINEERING COMMAND
CHARLESTON, S.C.

NAVAL HOSPITAL
NEW ORLEANS, LOUISIANA

SCALE: NOT TO SCALE
DRAWN BY: W.J.H.
DATE: 11-9-78

ND8/N1-13
19-3
P-5-7/RFM:bl

NAVY DEPARTMENT

WASHINGTON

January 6, 1943

Sir:

An Act of Congress approved October 9, 1940 (54 Stat. 1083), provides that in any case where a state cedes jurisdiction over lands within its borders to the United States, the head or authorized officer of any department or independent establishment or agency of the Government having custody of such lands, shall, if such jurisdiction be accepted on behalf of the United States, file a notice of such acceptance with the Governor of the State ceding such jurisdiction.

Pursuant to a Declaration of Taking filed September 11, 1942, in the District Court of the United States for the Eastern District of Louisiana, the United States acquired fee simple title to certain land in the case of the United States of America v. 26.01 acres of land, more or less, in Orleans Parish, Louisiana, Misc. No. 233. This land was acquired by the United States under the authority of the Act of Congress approved February 6, 1942 (Public Law 438, 77th Congress), for use in connection with the establishment of a Naval Section Base at New Orleans, Orleans Parish, Louisiana.

Pursuant to the provisions of the aforesaid Act of October 9, 1940, jurisdiction is hereby accepted on behalf of the United States in the manner and form granted and ceded by an Act of the General Assembly of Louisiana, approved June 20, 1892 (Secs. 2897-2898, Parts Louisiana General Statutes, 1939, Ann.), over the aforementioned land which is more particularly described in the annexed Exhibit "A".

There are enclosed two carbon copies of this letter of acceptance. Their return in the enclosed franked envelope with your endorsement thereon of the time of the receipt of the acceptance will be appreciated. One copy will be forwarded to the Attorney General of the United States and the other retained in the files of the Navy Department.

Very truly yours,

DEC 7 1942

James Forrestal

The Honorable,
Sam H. Jones,
Governor of Louisiana
Baton Rouge, Louisiana.

HYAA DEBT
BOA 8 0

Original of this letter received
on the 11th day of January 1943.

GOVERNOR

Enclosures (2)

CC: COMB
U.S. Atty Gen.

19-71-NO

ENCL. (2)

EXHIBIT "A"

DESCRIPTION OF 24.6 ACRES, MORE OR LESS, OF LAND
IN THE FIFTH MUNICIPAL DISTRICT, CITY OF NEW
ORLEANS, ORLEANS PARRISH, LOUISIANA: "NAVAL SEC-
TION BASE, NEW ORLEANS, LOUISIANA.

Beginning at the intersection of the prolongation of the east property line of Hendee Street with the mean high water line on the river side of the Mississippi River levee on the south side of the river; thence in a southerly direction along the east property line of Hendee Street to the southeast corner of the intersection of Hendee Street and Evelina Street, and is also the Northwest corner of square 107 of the Fifth Municipal District of New Orleans, Louisiana; thence in an easterly direction along the south property line of Evelina Street which is also the northerly property line of square 107, a distance of 270 feet, more or less, to the northeast corner of square 107, which is also the southwest corner of the intersection of Evelina and Sumner Streets; thence in a southerly direction along the west property line of Sumner Street, which is also the east property line of square 107, a distance of 295 feet 9 inches, more or less, to the northwest corner of the intersection of Sumner Street and Opelousas Avenue, and is also the southeast corner of said square 107; thence in an easterly direction along the north property line of Opelousas Avenue, a distance of 185 feet, more or less, to the westerly line of square 3, Nautical Terrace, which point is on the boundary line between property owned by Debardeleben Coal Company and the Olivier Land and Improvement Company; thence in a southerly direction along the westerly boundary of square 3, which is also the easterly end of Opelousas Avenue, a distance of 97 feet 11 inches, more or less, to the south side of lot 13, square 3; thence in an easterly direction along the southerly property line of lot 13, square 3 and its prolongation a distance of 166 feet 7 inches, more or less, to the present western boundary line of the United States Naval Station; thence in a northerly direction along the boundary line between the United States Naval Station and Behrman Avenue and its prolongation to its intersection with the mean high water line of the Mississippi River; thence in a northwesterly direction, following the meanderings of the mean high water line of the Mississippi River to the point of beginning: containing 24.6 acres, more or less.

Use map entitled "Location of property, Fifth
Municipal District, New Orleans, La.," altered 8-17-42
by H.D. C 19- 71- No

ENCL (2)

AN ACT

52
To cede jurisdiction to the United States over certain land and for the purchase and condemnation thereof.

Section 1. Be it enacted by the General Assembly of the State of Louisiana, That the United States shall have power to purchase or condemn in the manner prescribed by law, upon making just compensation therefor, any land in the State of Louisiana, not already in use for public purposes, required for custom houses, court houses, arsenals, national cemeteries, or for other purposes of the government of the United States.

Sec. 2. Be it further enacted, etc., That the United States may enter upon and occupy any land which may have been, or may be purchased or condemned, or otherwise acquired, and shall have the right of exclusive jurisdiction over the property so acquired during the time that the United States shall be or remain the owner thereof for all purposes, except the administration of the criminal laws of said State, and the service of civil process of said State therein, and shall hold the same exempt from all State, parochial, municipal or other taxation.

G. W. Bolton,
Speaker of the House of Representatives.

Charles Parlange,
Lieutenant-Governor and President of Senate.
Approved June 20, 1892.

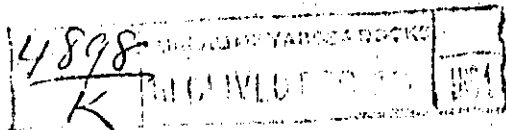
Murphy J. Foster,
Governor of the State of Louisiana.

A true copy from the original:

T. S. Adams,
Secretary of State.

15

ENCL. (3)



General Assembly of the State
of Louisiana.

An Act
To cede jurisdiction to the
United States over certain
land and for the purchase and
condemnation thereof--approved
June 20, 1892.

WHEREAS, by virtue of authority conferred upon him by the act of Congress approved September 7, 1888, and the act approved June 30, 1890, and in pursuance of a clause contained in the act making appropriations for the naval service for the fiscal year ending June 30, 1894, approved March 3, 1893, the Secretary of the Navy was authorized to acquire such additional lands as might be deemed necessary in his discretion for the purpose of establishing a dry dock on the Government reservation near Algiers, Louisiana; and

WHEREAS, in the exercise of the discretion vested in him by said acts of Congress, and in pursuance of the general authority contained in the "act to authorize condemnation of land for sites of public buildings and for other purposes," approved August 1, 1888, the Secretary of the Navy, through and with the concurrence of the Honorable the Attorney General, caused proceedings to be instituted in the Circuit Court of the United States for the Eastern District of Louisiana for the condemnation and expropriation for the use of the United States, of a certain tract of land in the parish of Orleans, State of Louisiana, on the right bank of the Mississippi river, lying west of and adjoining the United States Naval Reservation, said tract of land, hereinafter fully described, being the property of the estate of J. B. Olivier; and

WHEREAS, as the result of the proceedings instituted as aforesaid for the condemnation and expropriation of said tract of land it was ordered, adjudged and decreed that the findings and verdict of the jury of freeholders therein rendered assessing

the value of the interests of the estate and heirs of J. B. Olivier, deceased, in and to said tract of land in the sum of thirty-seven thousand dollars (\$37,000), be approved and confirmed; and

WHEREAS, it was further adjudged and decreed that the said heirs of the estate of J. B. Olivier, deceased, consisting of the following persons and with interests respectively as follows:

P. Numa Olivier, one undivided fourth, $\frac{1}{4}$
Octave C. Olivier, one undivided fourth, $\frac{1}{4}$
Mrs. Marie Rouzan, wife of Charles A. Maurin, one undivided eighth, $\frac{1}{8}$
Mrs. Julia Rouzan, widow of Paul Brierre, one undivided eighth, $\frac{1}{8}$
Pierre G. Maspero, one undivided twelfth, $\frac{1}{12}$
George Maspero, one undivided twelfth, and $\frac{1}{12}$
Henry Maspero, one undivided twelfth: $\frac{1}{12}$

Do be and appear before Andrew Hero *Jr.* a Notary Public in and for the Parish of Orleans, State of Louisiana, at such time as said Notary shall notify them that the United States is ready to pay the compensation price fixed as above for the lands condemned and expropriated as herein set forth; and said defendants having been duly notified accordingly that the United States is this day ready to make such payment, now, therefore,

BE IT REMEMBERED that on this *seventh* day of *October* in the year one thousand eight hundred and ninety-four, and in the year of the independence of the United States of America the one hundred and nineteenth, before me, Andrew Hero *Jr.* a Notary Public, in and for the Parish of Orleans, duly commissioned and sworn and in the presence of the witnesses hereunder named and subscribed,

Personally appeared P. Numa Olivier, Octave C. Olivier; *Sau P. Numa Olivier acting as the authorized agent and attorney in fact of* Mrs. Marie Rouzan, wife of Charles A. Maurin; *also appeared* Mrs. Julia Rouzan, widow of Paul Brierre, *all* Pierre G. Maspero, George Maspero and Henry Maspero, personally known to me to be the persons named in the decree of the Circuit Court of the United States for the Eastern District of Louisiana in the case of the United States vs. Estate and Heirs of J. B. Olivier, said persons being hereinafter referred

to and designated as the parties of the first part, who declared and said that they do by these presents grant, bargain, sell, convey, transfer, abandon and set over, under all lawful guarantee,

Unto the United States of America, hereinafter referred to and designated as the party of the second part, and here represented by *Captain Samuel C. Lemly, Judge Advocate General, U.S. Navy*, for such duty and purpose designated and appointed by the order of the Honorable Hilary A. Herbert, Secretary of the Navy, bearing date *October 3, 1894*, filed herewith, at the request of the parties, for reference, the said *Captain Samuel C. Lemly, Judge Advocate General, U.S. Navy*, duly accepting this act and conveyance for and on behalf of the United States:

All that certain tract or parcel of land lying and being within the Parish of Orleans, State of Louisiana, on the right bank of the river Mississippi, immediately west of and adjoining the United States Naval Reservation, together with all the dependencies, alluvion, batture and other rights, privileges, usages and servitudes, to the same belonging or in anywise appertaining: the said tract being bounded on the east by the western boundary of the said United States Naval Reservation, which western boundary is marked at two points by stone monuments, one being at the south-western corner of the reservation, and the other two thousand four hundred feet therefrom; on the north by the Mississippi river; on the west by a line parallel with the said western boundary of the reservation, and distant three arpents therefrom; and on the south by a line in continuation of the southern boundary of the reservation; the eastern, western and southern boundaries of said tract being shown in red lines on the accompanying plan marked "map of lands required for site of proposed drydock, near Algiers, La.," said tract being designated thereon as "Estate of J. B. Olivier:"

This sale being made and accepted for the sum of thirty-seven thousand dollars (\$37,000), which sum the said *Captain Samuel C. Lowry, Judge Advocate General, U.S. Navy...* acting as aforesaid, for and on behalf of, and with funds furnished by the party of the second part, hath well and effectively paid and delivered, in the presence of the undersigned notary and witnesses, to the said parties of the first part, in accordance with and in conformity to the decree of the United States Circuit Court aforesaid, as follows, to-wit:

- P. Numa Olivier, one undivided fourth, nine thousand two hundred and fifty dollars (\$9,250).
- Octave C. Olivier, one undivided fourth, nine thousand two hundred and fifty dollars (\$9,250).
- Mrs. Marie Rouzan, wife of Charles A. Maurin, one undivided eighth, four thousand six hundred and twenty-five dollars (\$4,625).
- Mrs. Julia Rouzan, widow of Paul Brierre, one undivided eighth, four thousand six hundred and twenty-five dollars (\$4,625).
- Pierre G. Maspero, one undivided twelfth, three thousand eighty-three dollars and thirty-four cents (\$3,083.34).
- George Maspero, one undivided twelfth, three thousand eighty-three dollars and thirty-three cents (\$3,083.33).
- Henry Maspero, one undivided twelfth, three thousand eighty-three dollars and thirty-three cents, (\$3,083.33):

The said parties of the first part hereby severally acknowledging the receipt of the sums of money paid to them respectively, as aforesaid, and hereby granting full acquittance therefor:

TO HAVE AND TO HOLD the above-described premises unto the said United States and their assigns, to their use and behoof forever; and the said parties of the first part, for themselves, their heirs, executors or administrators, do hereby covenant, promise and agree to and with said party of the second part that at the time of the execution of these presents the above granted and described premises with the appurtenances, rights and privileges thereunto belonging are free, clear, discharged, and uncumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and incumbrances of what

nature or kind soever; and that they, the said parties of the first part, will warrant and forever defend the same unto the said United States and their assigns, against said parties of the first part, their heirs and all and every person or persons whomsoever lawfully claiming or to claim the same; also with substitution and subrogation in and to the rights, claims and recourse in warranty which they the said parties of the first part may or might exercise against the former vendors, proprietors or possessors of said

~~premises~~. According to the annexed certificates of the Recorder of Mortgages, ~~Register of Conveyances and Tax Collectors of the City and Parish of Orleans~~, ~~in which it is stated that no protest has been entered by said parties of first part and is also from all mortgages, mortgages and other notices~~ DONE and passed in the City of New Orleans at my office

the day, month and year afore written in presence of

.....*Charles Carroll*.....and.....*John J. Ward*.....

witnesses thereto residing in this City, who have hereunto signed their names, with the said appearers, before me and in my presence, after the reading of this act: and being so executed in duplicate

.....*Theresa Oliver*.....
Notary Public.

Witnesses:

Charles Carroll
John J. Ward

P. Maria Oliver
Octave P. Oliver
Mrs. Marie Roux, an wife of
Charles A. Mauritan, by his attorney
in fact, P. Maria Oliver
Mrs. Julia Roux, widow of
Paul Briebe, by her attorney
in fact, P. Maria Oliver
Theresa G. M. Oliver
Eva Maspero
Henry Maspero

Recorded C.C.B. 153, f. 765, Oct. 11, 1894
of the Parish of Orleans.

Francis O. Linder
Leopoldine Marie Rodière Linder



Office of the Attorney General
Washington, D.C.

September 25, 1942

19-3

Honorable Frank Knox
Secretary of the Navy
Washington, D. C.

RECEIVED
NAVY DEPARTMENT
SEP 28 1942

19-3

My dear Mr. Secretary:

I have examined the petition, declaration of taking and the judgment entered thereon relating to the acquisition of 24.3 acres of land in Orleans Parish, Louisiana, in the condemnation proceeding entitled United States of America v. 26.01 acres of land in Orleans Parish, Louisiana, Misc. No. 233, in the District Court of the United States for the Eastern District of Louisiana, New Orleans Division, instituted in accordance with the request in your letter dated May 7, 1942, and the declaration of taking filed in accordance with the request in your letter dated August 23, 1942, which land is being acquired for use in connection with the Algiers Training Section.

The sum of \$69,901.00 was deposited into the registry of the court on September 5, 1942, upon the filing of the declaration of taking as estimated just compensation for the land.

I find the condemnation proceeding to the date of the judgment on the declaration of taking, September 11, 1942, is regular and that a valid title to this land, as more fully described in the judgment entered on the declaration of taking, is vested in the United States of America, pursuant to the provisions of an Act of Congress approved February 26, 1931 (46 Stat. 1421), with the right of possession on September 11, 1942.

May 27, 1942

The receipt of the clerk, together with a certified copy of the judgment entered on the declaration of taking, is enclosed.

Respectfully,

Francis Biddle
Attorney General

162109

5

PERIMETER DESCRIPTION

A tract of land known as the hospital site located at the Naval Support Activity, New Orleans, Orleans Parish, Louisiana, more particularly described as follows:

Begin at a concrete monument with a brass disk; located 57 feet Easterly of the 1977 Center Line of Hendee Street and 2 feet Northerly of the North Right-of-Way line of Hospital Drive, the Point of Beginning; Thence, S 03 00' 27" W, 66.24 feet to a monument on the South of the Hospital Drive; Thence S 87 12' 23" E, 02.54 feet to a monument; Thence parallel Hospital Drive N 77 31' 18" E, 145.19 feet to a monument; Thence South of and parallel to Hospital Drive S 87 12' 23" E, 776.08 feet to a monument; Thence continue S 87 12' 23" E, 5.00 feet to a point on a fence line. Thence along fence line N 02 49' 27" E, 699.89 feet to a point at a fence corner; Thence along fence line N 61 04' 23" W, 353.17 feet to a point at a fence corner; Thence, along fence line N 87 11' 33" W, 604.78 feet to a point at a fence corner 57 feet Easterly of the Center Line of Hendee Street; Thence, along fence line S 03 00' 27" W, 829.59 feet to a concrete monument, the Point of Beginning.

All distances are more or less.

Said Tract containing 18.00 acres more or less.